

**CHAPTER NO. 669****SENATE BILL NO. 3358****By Finney****Substituted for: House Bill No. 3329****By McCord, Montgomery**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to water and sewerage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 221, Part 4, is amended by adding the following language as a new section:

§ 68-221-419.

Any water and wastewater treatment authority which is created by a county legislative body pursuant to Part 6 of this chapter, subject to approval by the county legislative body, may enact a regulation that creates requirements for the installation and operation of advanced treatment systems (ATS) and the structures served by such systems within such county, provided:

(a) Such requirements are equal to or more stringent than the requirements imposed on such systems or structures by the Department of Environment and Conservation pursuant to this part or Title 69, Chapter 3, Part 1;

(b) A copy of such regulation is filed with the department prior to its effective date;

(c) Any modifications to such regulation requested by the department at any time are promptly adopted; and

(d) Enforcement of such regulation shall be the responsibility of the county legislative body and shall not be the responsibility of the department.

SECTION 2. The provisions of this act shall only apply in counties having a population, according to the 2000 federal census or any subsequent federal census, of:

not less than:  
62,900

nor more than:  
63,000

71,100

71,200

105,800

105,900

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 3, 2006**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 15<sup>th</sup> day of May 2006**

  
PHIL BREDESEN, GOVERNOR